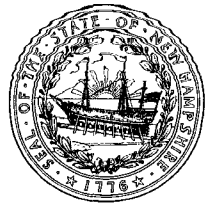




The State of New Hampshire  
*Department of Environmental Services*



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY  
WET 06-081**

August 11, 2006

Richard & Colleen Lefebvre  
143 Arkansas Rd  
Tewksbury, MA 01876

RE: DES Wetlands File #2006-01841 118 Shore Drive, Springfield

Dear Mr. & Mrs. Lefebvre:

On August 7, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above-referenced property, more specifically referenced on Town of Springfield Tax Map 15 as Lot 565,192 (the "Property"). The purpose of the investigation was to determine compliance with RSA 482-A and NH Code of Admin. Rules Env Wt 100-800 and RSA 483-B and NH Code of Admin. Rules Env-Wq 1400-1411.

During the inspection the following deficiencies were documented:

1. Two areas measuring approximately 680 square feet and 442 square feet had been dredged within a scrub-shrub wetland adjacent to Bog Pond;
2. Slash and dredge spoils were observed in an approximately 300 square foot area of a scrub-shrub wetland adjacent to Bog Pond;
3. A beach measuring approximately 1,120 square feet had been constructed contiguous with the shoreline of Bog Pond. DES personnel documented sediment deposition extending approximately nine feet into Bog Pond;
4. A culvert measuring 54 feet by 12 inches and associated fill had been installed within an intermittent stream. Slash and sediment deposition were observed within the stream channel to the west of the driveway, for a distance of 30 feet from the culvert; and
5. No erosion controls on the Property were observed.

DES records indicate that no permits were issued for the work.

In response, you are requested to take the following actions:

1. Immediately install erosion controls, including silt fence across the frontage to prevent further sediment from entering Bog Pond. By August 21, 2006, submit photographs to DES documenting the installation of erosion controls;
2. By October 1, 2006, submit a restoration plan to DES for review and approval. Have the restoration plan prepared by a certified wetland scientist, and include provisions for the

following:

- i. Removal of sediment from the shoreline and pond and for the re-establishment of a healthy, well-distributed stand of native vegetation along the shoreline;
- ii. The restoration of wetlands that were filled and dredged adjacent to Bog Pond; and
- iii. The stabilization of fill associated with the installation of the 12 inch culvert and the restoration of the intermittent stream channel at the outlet of the culvert.

Submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing:
    1. Existing conditions, with wetland boundaries; and
    2. Proposed conditions after reestablishing the jurisdictional areas;
  - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc.) and stabilization of the restoration area;
  - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);
  - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
  - e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum monitoring progress reports for two successive growing seasons following completion of the restoration project.
4. Retain a qualified wetland scientist to supervise the implementation of the restoration plan and to submit the restoration progress reports.
  5. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1411 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's

public waters.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for the imposition of civil penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Collis G. Adams", is written over a large, bold, outlined word "COPY".

Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7005 0390 0001 8439 6115

cc: Rene Pelletier, Asst. Director, Water Division  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Linda Magoon, DES Wetlands Bureau  
Springfield Conservation Commission  
Springfield Board of Selectmen  
USACOE